



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,120	03/24/2004	Kang Soo Sco	1740-000094US	3670
30593	7590	09/24/2007		
HARNES, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195			EXAMINER TEKLE, DANIEL T	
			ART UNIT	PAPER NUMBER
			2621	
			MAIL DATE	DELIVERY MODE
			09/24/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/807,120

Applicant(s)

SEO ET AL.

Examiner

Daniel Tekle

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-14 are rejected under 35 U.S.C. 101 because the claim is directed to a recording medium storing nonfunctional descriptive material. Data structures not claimed as embodied in computer-readable media are descriptive material per se and are not statutory because they are neither physical "things" nor statutory processes. See, e.g. Warmerdam, 33 F.3d at 1361; 31 USPQ2d at 1760 (claim to a data structure per se held nonstatutory) and merely claiming nonfunctional descriptive material stored in a computer-readable medium does not make it statutory. See MPEP 2106.IV.B.1.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-22 are rejected under 35 U.S.C. 102(e) as being anticipate by Kato et al.  
(US 20020145702).

**Regarding Claim 1:** Kato et al. discloses a recording medium having a data structure for managing reproduction of multi-path video data recorded on the recording medium, comprising: a data area storing the multi-path video data (**paragraph 212-213**); and a navigation information area storing playlists including reproduction information of the multi-path video data, wherein the playlists are created as many as the number of reproduction paths of the multi-path video data (**paragraph 212-213 and figure 14**).

**Regarding Claim 2:** Kato et al. discloses a recording medium of claim 1, wherein each of the playlists is associated with all of data stream clip files pertaining to one path of the multiple reproduction paths (**paragraph 212-213**).

**Regarding Claim 3:** Kato et al. discloses a recording medium of claim 1, wherein each of the playlists has type information to identify whether it is entry playlist or not (**figure 40**).

**Regarding Claim 4:** Kato et al. discloses a recording medium of claim 1, wherein the playlists include at least one playitem individually, the playitems included in the different playlists refer a same clip file containing common path video data section of the multi-path video data (**paragraph 168 and figure 3**).

**Regarding Claim 5:** Kato et al. discloses a recording medium having a data structure for managing reproduction of multi-path video data recorded on the recording medium, comprising: a data area storing the multi-path video data (**paragraph 212-213**); and a navigation information area storing a playlist including reproduction information of the multi-path video data, wherein the playlist includes a plurality of playitems pointing to

different video data sections pertaining to different reproduction paths, respectively **(paragraph 168-169, 182 and figure 20-21)**.

**Regarding Claim 6:** Kato et al. discloses a recording medium of claim 5, wherein the playlist further includes at least one playitem pointing to a clip file containing common path video data section of the multi-path video data **(paragraph 212-213)**.

**Regarding Claim 7:** Claim 7 is rejected for the same subject matter as claim 3.

**Regarding Claim 8:** Kato et al. discloses a recording medium having a data structure for managing reproduction of multi-path video data recorded on the recording medium, comprising: a data area storing the multi-path video data **(paragraph 212-213)**; and a navigation information area storing playlists including reproduction information of the multi-path video data, wherein the playlists are created as many as the number of path segments constituting the multi-path video data **(paragraph 182 and figure 39)**.

**Regarding Claim 9:** Kato et al. discloses a recording medium of claim 8, wherein each of the path segments is recorded in a single clip file **(paragraph 182 and figure 39)**.

**Regarding Claim 10:** Claim 10 is rejected for the same subject matter as claim 3.

**Regarding Claim 11:** Kato et al. discloses a recording medium of claim 8, wherein the navigation information area further comprises object information including pre-commands and/or post-commands to be conducted before and/or after each playlist is reproduced **(paragraph 212)**.

**Regarding Claim 12:** Kato et al. discloses a recording medium of claim 11, wherein single object information is created for the multi-path video data **(paragraph 212-213)**.

Art Unit: 2621

**Regarding Claim 13:** Kato et al. discloses a recording medium of claim 11, wherein the object information is created for each of the playlists (**paragraph 212-213**).

**Regarding Claims 14-17:** Claims 14-17 are rejected for the same subject matter as claim 3, 1, 5, and 8 respectively.

**Regarding Claims 18-20:** Claims 10-20 are rejected for the same subject matter as claims 1, 5, and 8 respectively.

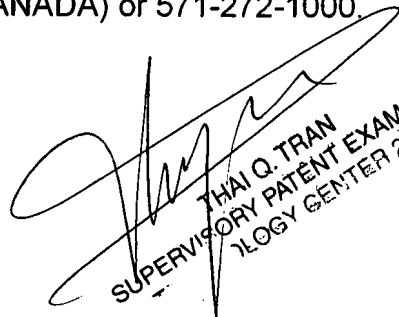
**Regarding Claims 21-22:** Claims 21-22 is rejected for the same subject matter as claim 8.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Tekle whose telephone number is 571-270-1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other F..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel Tekle



THAI Q. TRAN  
SUPERVISORY PATENT EXAMINER  
BIOLOGY CENTER 2600